SHER TREMONTE LLP

September 16, 2020

BY EMAIL

Burton Ryan
Charles Kelly
Assistant U.S. Attorneys
U.S. Attorney's Office
Eastern District of New York
610 Federal Plaza
Central Islip, New York 11722

Re: *United States v. Enayatullah Khwaja, et al.*, 18-CR-607 (JMA)

Dear Messrs. Ryan and Kelly:

As you know, we represent Shikeba Rhamatzada, a defendant in the above-referenced matter. We write to request discovery pursuant to Rules 16 and 7(f) of the Federal Rules of Criminal Procedure, *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, *Giglio v. United States*, 405 U.S. 105 (1972), and its progeny, and the Fifth and Sixth Amendments to the United States Constitution. Specifically, we respectfully request that you provide any document, record, communication, 302 or other memorandum, or any other written or recorded statement regarding the decision to stop Ms. Rhamatzada at the border in February 2018 when she returned from a religious pilgrimage to Saudi Arabia, and the search of her cellphone during that stop. As noted in our reply brief filed on September 14, 2020, Dkt. # 281, you have suggested in your opposition to our motion that a wiretap phone call, which should have been minimized, was "spot checked" to determine Ms. Rhamatzada's travel plans. *See id.* at 22-23. In order to determine whether the agents' decision to listen to that phone call did, in fact, lead to the search of Ms. Rhamatzada's phone, and whether that sequence of events could occasion motion practice, we are entitled to disclosure of all material in your possession concerning this matter.

Asst. U.S. Attorneys Burton Ryan and Charles Kelly
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        We expressly reserve the right to seek subsequent items of discovery not
requested here, if the need arises out of the disclosures made by the government pursuant
to this request. Thank you for your cooperation.

                         Sincerely,

                         /s/
                         Michael Tremonte
                         Noam Biale
                         SHER TREMONTE LLP

cc: The Honorable Joan M. Azrack (by ECF)
        All Counsel (by ECF)